

UNITED STATES DISTRICT COURT

for the
Southern District of TexasUnited States Courts
Southern District of Texas
FILED

September 14, 2016

United States of America
v.

David J. Bradley, Clerk of Court

MICHAEL OJEGBA AGBONIFO aka
STEVEN FRENCH

Case No.

H 16-1348M

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 09/13/2016 in the county of Harris in the
Southern District of Texas, the defendant(s) violated:*Code Section**Offense Description*

18 USC Sec. 1343

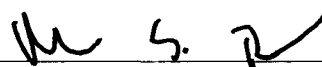
Wire Fraud

18 USC Sec. 1546

Fraud and Misuse of Visas, Permits, and other Documents

This criminal complaint is based on these facts:

See Attached Affidavit of US Postal Inspector Matthew S. Boyden

☒ Continued on the attached sheet.*Complainant's signature*

US Postal Inspector Matthew S. Boyden

Printed name and title

Sworn to before me and signed in my presence.

Date: 09/14/2016*Judge's signature*City and state: Houston, Texas


Dena Hanovice Palermo, US Magistrate Judge

Printed name and title

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

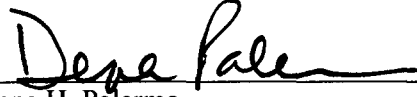
1. Affiant, United States Postal Inspector Matthew S. Boyden, has been employed by the U.S. Postal Inspection Service since January 2000. Affiant is currently assigned to the Major Fraud team in Houston, Texas. Prior to that, Affiant served as a lieutenant of police for a municipal police department in Texas. Affiant has served in the U.S. Air Force as a Law Enforcement Specialist and criminal investigator for the Air Force Office of Special Investigations. Affiant has received specialized training in numerous Postal crimes, but primarily those involving “identity theft” and mail fraud related offenses. Affiant has attended training in the areas of check fraud, credit card fraud, and identity takeover schemes. Affiant has investigated hundreds of cases involving fraud, identity theft, and related “white collar” types of offenses. Affiant is authorized to obtain and execute Federal Arrest and Search Warrants. This Affidavit is made in support of a criminal complaint filed against Nigerian National **MICHAEL OJEGBA AGBONIFO aka STEVEN FRENCH**.
2. The information set forth in this Affidavit is based upon your Affiant’s personal knowledge and/or information provided to Affiant by other law enforcement agents and officers, witnesses, bank investigators, and cooperating individuals Affiant believes to be reliable and credible. Because this Affidavit is being submitted for the limited purpose of supporting a criminal complaint, Affiant has not included each and every fact concerning this investigation. Affiant has set forth only the facts believed to establish probable cause that **MICHAEL OJEGBA AGBONIFO aka STEVEN FRENCH** has committed violations of federal law.
3. For the past several months, Affiant has been investigating numerous Business E-mail Compromise (BEC) complaints. The FBI defines BEC fraud as a sophisticated scam targeting businesses that regularly perform wire transfer payments. The scam is carried out by compromising legitimate business e-mail accounts through social engineering or computer intrusion techniques to conduct unauthorized transfers of funds. Most victims report using wire transfers as a common method of transferring funds for business purposes; however, some victims report using checks as a common method of payment. The fraudsters will use the method most commonly associated with their victim’s normal business practices. Affiant has identified numerous bank accounts opened with counterfeit passports in and around Houston that are being funded with fraudulent BEC wire transfers.

4. Affiant learned that on or about June 27, 2015, an individual (later identified as MICHAEL OJEGBA AGBONIFO) using a counterfeit Nigerian passport #A01904519 in the name STEVEN FRENCH opened a bank account at 1st Convenience Bank in Houston, Texas. The address on the account was 9555 Crofton St. #1073, Houston, Texas 77016. On or about September 8, 2016, the account received a \$20,000 wire transfer from the Evergreen FSL account of Louis Mahar in Medford, Oregon. The wire was quickly recalled as fraudulent. The exact same information was also used to open bank accounts at Wells Fargo Bank, Bank of America, and Chase Bank. Those accounts were used to receive in excess of \$100,000 in fraudulent deposits. Affiant was able to obtain photographs from the banks of the account holder. Affiant confirmed with the State Department the FRENCH passport was counterfeit.
5. On September 12, 2016, Affiant interviewed Shameka Williams. Williams is the resident at 9555 Crofton St. #1073, Houston, Texas 77016. She identified AGBONIFO as the person using the FRENCH identity. She admitted opening accounts for AGBONIFO and allowing him to use her address to receive mail and credit cards. Affiant was able to listen to telephone calls between WILLIAMS and AGBONIFO discussing the scheme. WILLIAMS also provided a description of AGBONIFO'S vehicle and his residence. A review of law enforcement databases disclosed AGBONIFO'S license was expired and he had multiple arrest warrants issued for his arrest.
6. On September 13, 2016, Affiant and Houston Police Department officers stopped AGBONIFO after he left his apartment. He was detained and advised of his rights. AGBONIFO waived his rights and agreed to answer questions. He was also in possession of the counterfeit FRENCH passport. AGBONIFO admitted receiving the counterfeit passport from people in Nigeria and using it to open bank accounts which received money from victims. He admitted using the passport to open accounts at numerous banks in and around Houston, Texas. He also admitted to purchasing true personal identity information from "hackers" on the internet which he used to obtain credit cards. Affiant contacted immigration agents with Department of Homeland Security and learned that AGBONIFO is currently in the United States illegally.
7. Based upon the above, the undersigned believes there is probable cause to believe that **MICHAEL OJEGBA AGBONIFO aka STEVEN FRENCH** has committed crimes in violation of Title 18, United States Code, Sections 1343, and 1546.



Matthew S. Boyden
United States Postal Inspector

Sworn and Subscribed to me this 14th day of September, 2016, and I find probable cause.

A handwritten signature in black ink, appearing to read "Dena Palermo", written over a horizontal line.

Dena H. Palermo
United States Magistrate Judge
Southern District of Texas